

STANDING CHAPTER 13 TRUSTEE ALEJANDRO OLIVERAS RIVERA
REPORT OF ACTION TAKEN
MEETING OF CREDITORS

In re:

OMAYRA DAUMONT RODRIGUEZ

Case No. 17-04443-MCF

Chapter 13

Attorney Name: ROBERTO FIGUEROA CARRASQUILLO*

I. Appearances Debtor <input checked="" type="checkbox"/> Present <input type="checkbox"/> Absent Joint Debtor <input type="checkbox"/> Present <input type="checkbox"/> Absent Attorney for Debtor <input checked="" type="checkbox"/> Present <input type="checkbox"/> Absent <input type="checkbox"/> Prose <input type="checkbox"/> Appearing:	Date & Time: 8/2/2017 1:10:00PM <input checked="" type="checkbox"/> R <input type="checkbox"/> NR LV: \$4,008 (PV \$4,649) <input checked="" type="checkbox"/> This is debtor(s) 1 Bankruptcy filing. Creditors: <div style="border: 1px solid black; height: 100px; margin-top: 5px; padding: 5px;"> <u>None</u> </div>
II. Oath Administered <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
III. Plan Date: 06/23/2017 Base: \$18,573.00 Payments 1 made out of 1 due. Confirmation Hearing Date: 9/8/2017 1:30:00PM Evidence of Pmt shown:	
Attorney's fees as per R. 2016(b) <div style="margin-top: 10px;"> $\\$3,000.00 - \\$82.00 = \\$2,918.00$ </div>	
IV. Status of Meeting <input checked="" type="checkbox"/> Closed <input type="checkbox"/> Not Held <input type="checkbox"/> Held/Continued <input type="checkbox"/> Held/Not Closed <input type="checkbox"/> Continued Continued Date: Comments:	
<input type="checkbox"/> M.T.D. to be filed by Trustee: Debtor(s) failed to: <input type="checkbox"/> Appear: <input type="checkbox"/> Commence payments <input type="checkbox"/> Keep payments current <input type="checkbox"/> does (do) not qualify as a debtor (§109): <input type="checkbox"/> MTD Already filed, see Docket: <input type="checkbox"/> Other:	

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(Cont.)

Trustee's Report on Confirmation

☐ FAVORABLE

☒ UNFAVORABLE

- ☐ Feasibility
- ☐ Insufficiently funded
- ☐ Unfair discrimination
- ☐ Fails disposable income
- ☐ Fails liquidation value test
- ☐ Insuarence quote

- ☐ No provision for secured creditor(s)
- ☐ Tax returns missing
 - ☐ State - years
 - ☐ Federal - years

Pending/Items/ Documents:

- ☐ DSO Recipient's Information
- ☐ Evidence of being current with DSO
- ☐ Evidence of income

- ☐ Monthly reports for the months
- ☐ Public Liability Insurance
 - ☐ Premises
 - ☐ Vehicle(s):
 - ☐ Licenses issued by:

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Trustee's objection to confirmation

☒ Objection to Confirmation

☐ Oral objection by creditor

ACP: 5

Household size: 3

Disp. Income under 1325(b)(2): -1,436.71

Debtor(s) made of aware of their continuing obligation, during the term of the plan, to report any change in their financial/economic circumstances, particularly increases in income or acquisition of goods or property, either by payment or free of cost, for example and not limited to salary increases, donations, lottery prizes, inheritances and causes of action.

Debtor(s) made aware of plan's tax refund provision to increase pay-out to creditors.*

I reviewed documentary evidence on the filing of the 2013 thru 2016 state income tax returns.

The distribution to non-priority unsecured creditors is approximately 0%.

1. Plan does not specify whether insurance for vehicle will be paid directly by debtor or through the plan.

2. Plan does not provide direct payment for retirement loan (401k).

3. Plan is insufficiently funded to pay secured creditors. Thus, plan does not comply with the best interest of creditors' test.

4. Provide maturity date for 401k loan.

5. Debtor has not claimed any exemption over real property. Is this truly her intention? LV could be \$0.00. She is to amend to claim exemption under section 522(d)(5)

The following party(ies) object(s) confirmation:

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s/Alejandro Oliveras

Date: 08/02/2017

Trustee/Presiding Officer

(Rev. 05/13)